

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-32010

Priority: November 03, 2004

Maximum Diversion Rate: 1.00 CFS

This is to certify, that HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616

has applied for a permit to appropriate water from:

Source: LITTLE GULCH CREEK **Tributary:** BOISE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/15	1.00 CFS

LOCATION OF POINT OF DIVERSION:

LITTLE GULCH CREEK L4 (NW¼NW¼) Sec. 3, Twp 04N, Rge 01W, B.M., ADA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 01W 3						39.0	40.0			40.0							119.0
						L 4											
04N 01W 4	41.0			40.0									40.0				121.0
	L 1																

Total Acres: 240

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2006**.
2. Subject to all prior water rights.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-32010

6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 4th day of March, 2005.



FOR KARL J DREHER, Director

RECEIVED

RECEIVED

SEP 28 2004

RECEIVED

FEB 2 2005

WATER RESOURCES
FORM 12/99
WESTERN REGION

Department of Water Resources

Ident. No. 63-32010

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

agree to the following
application changes.11-3-04 Date

To appropriate the public waters of the State of Idaho

484-55281 Name of Applicant Hook Marmey Farms Inc. Phone 296-7714
Mailing address 8542 Blount Rd Eagle, Ida 836162. Source of water supply From Blount Rd which is a tributary of LITTLE BULCH CR3. Location of point of diversion is Township 04N Range 01W Sec. 3 in the NW ¼,
NW ¼, Govt. Lot 4, B.M., ADA County;Additional points of diversion if any: LITTLE BULCH CR TRIB OF BOISE R

4. Water will be used for the following purposes:

Amount N/A 1.0 for Irrigation purposes from April to Sept (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated is (a) 1.0 and/or (b) N/A
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source waterflow into ditch into pond
then pumps out of the pond for irrigationb. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____;

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	3		~~40~~				~~40~~	40			40							119
		4	41			40									40				121

Total number of acres to be irrigated 235 240

10. Describe any other water rights used for the same purposes as described above. 63-2958, 63-31988

11. a. Who owns the property at the point of diversion? Hoot NANNY Farm owner
b. Who owns the land to be irrigated or place of use? HAZEL Skipton/Hoot Marney Farm owner
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Hoot Marney Skipton Michael Skipton
Signature of Applicant (and title, if applicable) president

Received by DB Date 9-28-04 Time 11:00 AM Preliminary check by 6
Fee \$ 850 Received by DB # W032258 Date 9-28-04
Publication prepared by sk Date 12-16-04 Published in THE IDAHO STATESMAN
Publication approved sk Date 1-6-05

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant West Murray Farms Inc.
Mailing Address 8542 Flooting Butte Rd.
Eagle, Idaho 82616
Application No. 6
(if known)

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

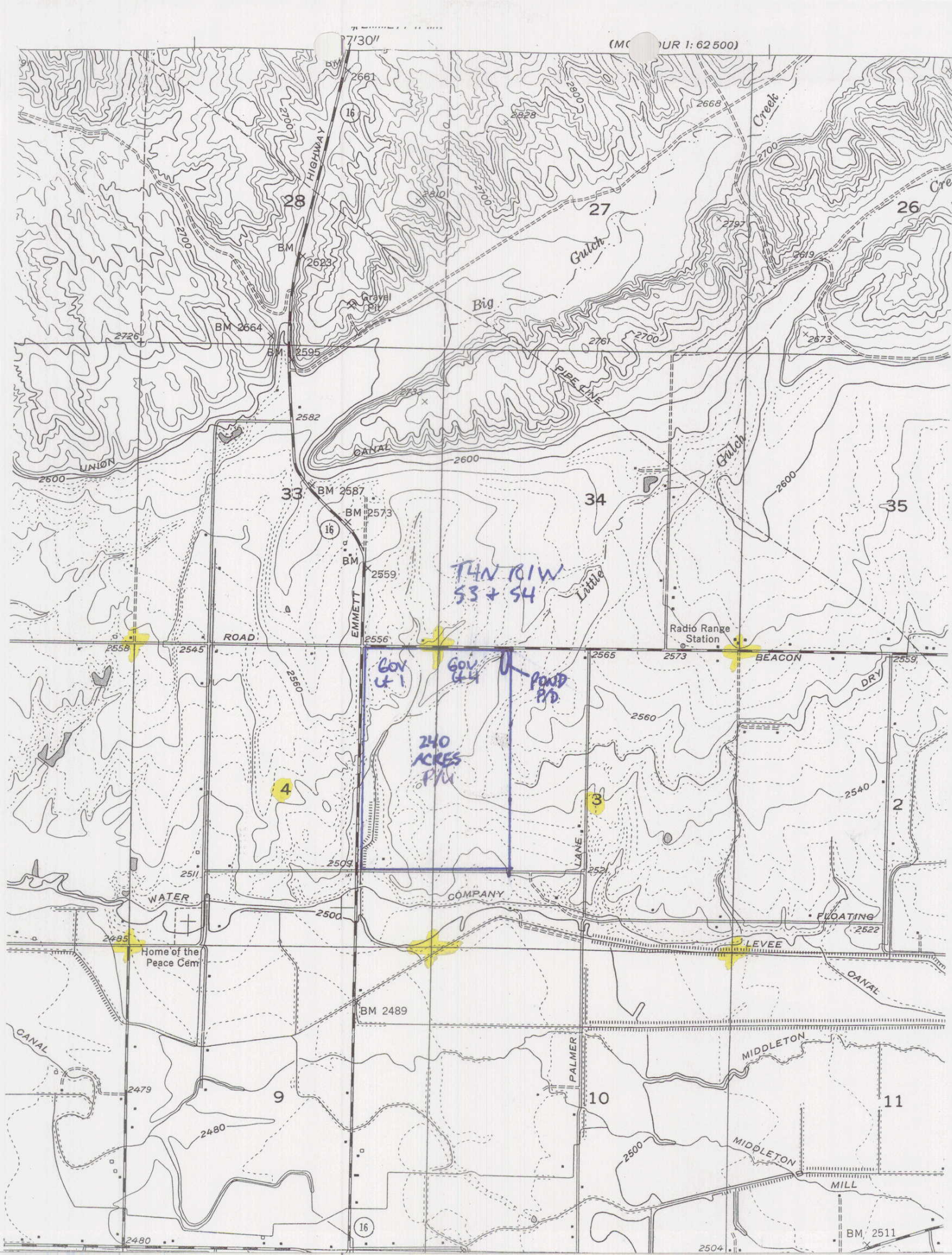
Signature

Date

Michael L. Ship
9-27-04

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
Attn: Dan Nelson *Don Nelson*
2735 Airport Way
Boise, ID 82705-5082



FARMERS UNION DITCH CO. LTD.
2153 N. POLLARD LN.
STAR, ID. 83669

RECEIVED

NOV 15 2004

WATER RESOURCES
WESTERN REGION

November 11, 2004

Ms. Lori Grover
Idaho Water Resources
2735 Airport Way
Boise, Idaho 83705

Dear Ms. Grover;

Re: Mike Dixon wastewater application

The Farmers Union Ditch Co., Ltd. furnishes the irrigation water to the Elmer Carlock farm. Mr. Dixon is filing an application with IWR, as we understand it, to catch and re-use the waste water from the Carlock farm to subsidize the water on the Dixon farm.

The Board of Directors considered this matter at our Board meeting on November 9, 2004. We concluded that we do not have an objection to this as we feel we don't have any jurisdiction on the water after it passes through our headgate at the Carlock point of delivery.

As you are aware and Mr. Dixon should be made aware of is the fact that Farmers Union Ditch Co., Ltd. is not obligated to deliver this water through the headgate at the Carlock farm for the sole purpose of Dixons' consumptive use. If the owner of the Carlock farm or the lessee of the Carlock farm is not using the water and asks to be turned off, we are not obligated to the Dixon farm to continue water flow.

Yours truly,

Gene Bailey
Gene Bailey, President

cc: Mike Dixon
Elmer Carlock

T5N, R1W
T4N, R1W

NENE
Lot 1
41.0

NWNW
Lot 4
39.0

SENE
40.0

SWNW
40.0

NESE
40.0

NWSW
40.0

Pond
WASH
WATER

New well
old well

Plu old
R15715
290000

Now

Starting

Right Side

of file.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 7, 2005

HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616

RE: Permit No. 63-32010

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

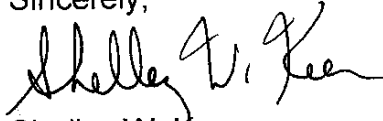
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

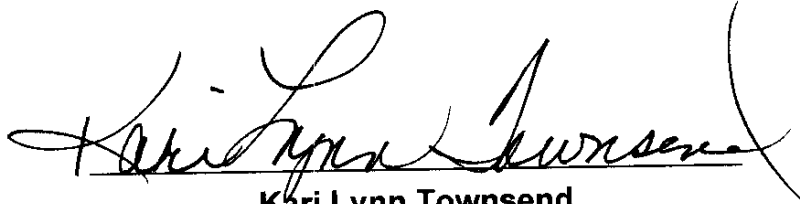
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-32010

**HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

63-32010

1. Igraves 12/6/2004 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed. Source is surface water tributary to the Boise River below Star Bridge. Majority of water in the Creek is irrigation wastewater. Development has existed since the 1970s.

2. Igraves 12/6/2004 Comment/Analysis

Comment: Source was originally listed on the application as wastewater, then amended to Little Gulch Creek as labeled on the topo map. Applicant started leveling the ground in 1974 and built a pond ~1.4 af in size (50x120x10 ft). The pond appears to be located on the old stream bed. Applicant stated that the pond has an overflow pipe the leads directly into a buried concrete tile pipe that flows ~1 mile south and discharges into an unnamed drain/canal. The natural stream bed beyond the pond was leveled in 1974 and is now being farmed. As indicated on the topo map, Little Gulch Creek is an intermittent stream. According to the applicant and Farmers Union Ditch Company (FUDC), the Creek only flows during the irrigation season with wastewater from neighboring fields. Applicant has been using the wastewater/Creek water, but does not have shares in FUDC. Gene Bailey, President of FUDC, verified that the applicants property was in the FUDC service area but FUDC does not provide water to the subject acres. Mr. Bailey submitted a letter dated 11/11/2004, stating that FUDC did not object to the application. It appears that the wastewater/Creek water is tributary to Middleton Water Co. Canal, however, according to Jerry Kiser, attorney for Middleton Irrigation District, the wastewater/Creek water is piped under their canal and into the next unnamed drain, which is under the control of Drainage District No. 2. The canal and the drain are tributary to the Boise River below Star Bridge. Both Middleton Irrigation District and Drainage District No. 2 will be sent notice. Applicant also diverts groundwater into the pond (63-2958 & 63-31988). He then pumps the combined water from the pond onto the 240 acres for irrigation. Applicant stated that he can usually count on ~400 gpm wastewater flowing into the pond, sometimes more. Based on the size of the existing pond and the amount of flow rate listed on the application, a storage component does not appear necessary. Applicant also filed transfer no. 71630 to add a p/d to his ground water rights. No other rights are used.

3. kwalker 3/2/2005 Permit Review

Comment: Application is for water tributary to Boise River below Star Bridge. Can process without delay. Place of use overlaps with Rts. 63-2958 & 63-31988 (expansion claim) from groundwater source. Supplemental use conditions not applicable. No shares from Farmers Union Ditch Company appurtenant to this land per letter in file from them. Drainage Dist. #2 given notice of this application, no response received. Application falls within Little Gulch Creek contamination area but is for surface water so not a problem. Recommend approval.

MEMORANDUM

DATE: 2/16/2005

FROM: Lori Graves

63

TO: Application File 63-32010

RE: Large Diversion Analysis

Application 63-32010 lists 1.0 cfs for 240 acres irrigation. The proposed surface water supplements ground water rights 63-2958 and 63-31988 and has been used as proposed since the 1970's. Because the proposed use has occurred for nearly three decades, the only portion of the large diversion analysis that applies to this application is the public interest criteria.

As noted on the review sheet and in the proof report comments, the associated surface water entities have been notified and did not oppose the approval of this application. IDFG was notified but did not comment. The watermaster sent his approval comments. Notification to IDEQ and the county should not be necessary for this long-standing development. The application was also advertised without protest. Based on these results, the public interest criteria have been sufficiently addressed. Large diversion analysis sheet is therefore not needed.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application Number: 63-37010

Applicant's Name: Hoot Nanny Farms Inc.

Watermaster's Recommendation:

a) ☐ I do not oppose approval of this application.

b) ☒ I do not oppose approval of this application if it is conditioned as follows:

Standard Watermaster conditions, this
may be part of Drainage District # 2.
Permission from DD # 2 may be needed

c) ☐ I oppose approval of this application for the following reasons:

d) Additional Comments:

Dated this 11 day of January, 2005

Water District Number: 63 Watermaster's Signature Lee Lucia

The Idaho Statesman

RECEIVED

DEC 28 2004

P.O. Box 40, Boise, Idaho 83707-0040
LEGAL ADVERTISING PROOF OF PUBLICATION

WATER RESOURCES
WESTERN REGION

Account #	DTI#	Identification	Amount
047628	1205138	APPLICATION - FOR PERMIT	\$134.50
Attention:	P.O. #	Run Dates	
SUE KREGER		DECEMBER 16, 23, 2004	
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705		Number of Lines	
		2 X 37	
		Affidavit	Legal #
		1	21165

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-32010
HOOT NANNY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616

Point(s) of Diversion L4 (NWNW) S3 T04N R01W ADA County Source LIT-
TLE GULCH CREEK
Tributary To BOISE RIVER
Use: IRRIGATION 03/01 To 11/15 1 CFS
Total Diversion: 1 CFS
Date Filed: 11/03/2004
Place Of Use: IRRIGATION

T04N R01W S3 NWNW Lot 4 SWNW NWSW
T04N R01W S4 NENE Lot 1 SENE NESE
240

Number of Acres
Remark: Applicant agrees to mitigate consumptive use in the future as needed.
Source is surface water tributary to the Boise River below Star Bridge.
Majority of water in the Creek is irrigation wastewater.
Development has existed since the 1970s.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/03/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. Dec. 16, 23, 2004

21165

TINA BARTLETT, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: DECEMBER 16, 2004

ending issue of: DECEMBER 23, 2004

Tina Bartlett

STATE OF IDAHO)

.SS

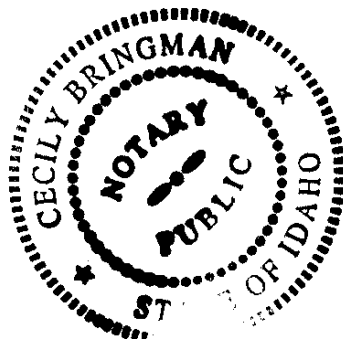
COUNTY OF ADA)

On this 23 day of DECEMBER in the year of 2004 before me, a Notary Public, personally appeared before me TINA BARTLETT known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Cecily Bringham

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires:

8-27-09



Kreger (Taylor), Sue

To: Wd63@iglide.net
Subject: COMMENT LETTER

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

December 10, 2004

LEE SISCO
WATERMASTER DIST. NO. 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application(s) for Water Right (s)

Dear Watermaster:

Attached are copies of one or more applications. Also attached is a form for your recommendation concerning these application(s).

Please review the application(s) that are in your area. We must have your comments within two weeks. If you have any questions or need information, feel free to contact this office at 334-2190.

Sincerely,

Sue Kreger
(208) 334-2190
Id Dept Water Resources
Sue.Kreger@idwr.idaho.gov



63-32010.pdf



Copy of
commendation of Wa



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

December 10, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MIDDLETON IRRIGATION DIST
C/O JERRY KISER
STOPPELLO & KISER
620 W HAYS ST
BOISE ID 83702

Re: Water Right Application(s)

Enclosed is a copy of an application(s) that may be of interest to you. Please review the application(s) submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by January 3, 2005.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'Sue Kreger'.

Sue Kreger
Administrative Assistant

Encl. Copy of Application



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 10, 2004

DRAINAGE DIST NO. 2
C/O BRYCE FARRIS
RINGERT CLARK CHARTER LAWYERS
PO BOX 2773
BOISE ID 83701

Re: Water Right Application(s)

Enclosed are copies of application(s) that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by January 3, 2005.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'Sue Kreger'. The signature is fluid and elegant, with the first and last names clearly legible.

Sue Kreger
Administrative Assistant

Encl. Copy of Application

Kreger (Taylor), Sue

To: eleitzin@idfg.state.id.us
Subject: comment letters

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

December 8, 2004

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Re: Applications for Permit

Dear Eric:

Enclosed is a copy(s) of an application(s) for permit. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by January 3, 2005.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Kreger
(208) 334-2190
Id Dept Water Resources
Sue.Kreger@idwr.idaho.gov



2-10264.pdf



63-32010.pdf



65-22903.pdf



65-22904.pdf



65-22919.pdf



67-14500.pdf

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

December 08, 2004

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Applications for Permit No. 63-32010 and 63-32011

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 01/03/2005. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-32010

HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616

Point(s) of Diversion L4 (NWNW) S3 T04N R01W ADA County

Source LITTLE GULCH CREEK

Tributary To BOISE RIVER

Use: IRRIGATION 03/01 To 11/15 1 CFS

Total Diversion: 1 CFS

Date Filed: 11/03/2004

Place Of Use: IRRIGATION

T04N R01W S3 NWNW Lot 4 SWNW NWSW

T04N R01W S4 NENE Lot 1 SENE NESE

Number of Acres 240

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Source is surface water tributary to the Boise River below Star Bridge.

Majority of water in the Creek is irrigation wastewater.

Development has existed since the 1970s.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/03/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on December 16 and 23, 2004.